IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

MONDAY, THE TWENTY EIGHTH DAY OF JUNE
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE BILAL NAZKI

and

THE HON'BLE MR JUSTICE P.S.NARAYANA

WRIT PETITION NO : 7626 of 2004

Between:

M.K.Velu, S/o.Kandaswamy,
Sri Balavinayagar Bus Service, D.No.5,Bazaar Street, Kasba,
Vellore-3, Tamilnadu.

..... PETITIONER

AND

1 The Secretary, R.T.A., Chittoor Dist.
2 The Assistant Motor Vehicle Inspector, Renigunta Check post, Chittoor.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ or direction more particularly writ in the nature of mandamus declaring the action of the respondents in proceeding further pursuant to the vehicle check report dt. 2-8-03 of there 2nd respondent U/s. 8 of AP MVT ACT in respect of vehicle bearing No.TN-23C-8294 in spite of the Judgment reported in 2004(2) ALT 210 (L.B)as illegal, improper, unjust and arbitrary and further declare that the respondents cannot take action against the petitioner pursuant to the check report dated 2-8-2003 demanding higher tax, in view of the judgment referred to above and she is entitled to refund of the amount of Rs.25,000/- which is deposited for release of vehicle for interim custody and pass such other order or orders as the Court may deem fit.

Counsel for the Petitioner:MR.G.SEENA KUMAR

Counsel for the Respondents : GP FOR TRANSPORT

The Court made the following O R D E R:
(Per the Hon'ble Sri Justice Bilal Nazki):

Nobody appears for the petitioner. However, we have gone through the writ petition. Heard learned counsel for the respondents. Petitioner seeks a direction to the first respondent to dispose of his representation dated 15-03-2004, keeping in view the judgment of this Court reported in ***L.Royal Reddy and others vs. Government of Andhra Pradesh, Transport, Roads and Buildings (Tr.II) Department and others***[1]***.*** The learned counsel for the other side has no objection if such a direction is made.

Therefore, the writ petition is disposed of with a direction that the representation dated 15-03-2004 may be disposed of by passing appropriate orders. No order as to costs.

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(Bilal Nazki, J)

28th June, 2004.

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(P.S.Narayana,J)

vrn

To
1.The G.P. for Transport, High Court Buildings, Hyderabad.
2. Two C.D.Copies

[1] 2004(2) ALT 210 (LB)